

Message Text

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DRAFTED BY S/AR:AGJAMES/MW
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FM SECSTATE WASHDC
TO AMEMBASSY YAOUNDE PRIORITY
INFO USMISSION USUN NEW YORK

C O N F I D E N T I A L STATE 166820

FOR AMBASSADOR SMYTHE FROM AMBASSADOR RICHARDSON

E.O. 11652:GDS

TAGS: PLOS

SUBJECT: LOS - PAUL ENGO

REF: YAOUNDE 3114

1. I HAVE NOTED WITH INTEREST THE REPORT OF YOUR PRE-UNGA CONSULTATIONS WITH CAMEROON OFFICIALS ON JUNE 22 IN WHICH PAUL ENGO WAS CRITICAL OF THE US POSITION IN THE LOS CONFERENCE ON TECHNOLOGY TRANSFER. PAUL SEEMS TO HAVE AN ENTIRELY MISTAKEN IMPRESSION OF MY MAY 22 STATEMENT AS IT RELATED TO TECHNOLOGY TRANSFER. I SAID NOTHING LIKE WHAT HE REPORTEDLY THOUGHT I HAD SAID.

2. YOU WILL RECALL THAT IN MY STATEMENT I COMMENTED ON THE TECHNOLOGY TRANSFER PROVISIONS OF THE GENEVA TEXTS AS FOL-
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LOWS:

"TRANSFER OF TECHNOLOGY IS NO LONGER A PRE-CONDITION OF OBTAINING A CONTRACT TO MINE. THIS IS A MAJOR IMPROVEMENT. UNDER THE NEXT NEW TEXT THE CONTRACTOR MUST UNDERTAKE TO TRANSFER SUCH TECHNOLOGY TO THE ENTERPRISE AT ANY TIME AFTER THE CONTRACT IS APPROVED--IF THE ENTERPRISE SO REQUESTS--ON

FAIR AND REASONABLE COMMERCIAL TERMS AND CONDITIONS TO BE
NEGOTIATED IN GOOD FAITH BY THE PARTIES. THE FULFILLMENT

OF THIS OBLIGATION WOULD BE SUBJECT TO CONCILIATION AND
ARBITRATION.

"A NEW AND HIGHLY CONTROVERSIAL ADDITION TO THE TEXT RE-
QUIRES TRANSFER OF TECHNOLOGY TO DEVELOPING COUNTRIES IN
CERTAIN QUITE LIMITED CASES. THE U.S. IS OPPOSED TO THIS
REQUIREMENT, WHICH IS NOT NEEDED TO MAKE THE PARALLEL SYS-
TEM OF EXPLOITATION VIABLE, AND WILL SEEK TO HAVE IT
ELIMINATED IN A LATER STAGE OF NEGOTIATIONS."

3. THE SECOND QUOTED PARAGRAPH ABOVE WAS A REFERENCE TO A
CLAUSE PROPOSED BY BRAZIL WHICH ON ITS MERITS WAS OPPOSED
BY TANZANIA AND A NUMBER OF OTHER AFRICAN STATES.

4. PAUL HAS ALSO MISCONSTRUED WHAT I SAID ABOUT THE WORK
TO BE UNDERTAKEN AT THE RESUMED SESSION IN AUGUST AT NEW
YORK. I MADE NO STATEMENT ON MAY 22 EITHER IN MY PREPARED
REMARKS OR IN ANSWERS ABOUT THE US DOING ALL POSSIBLE TO
EXCLUDE TECHNOLOGY TRANSFER FROM THE NEXT LOS SESSION IN
NEW YORK. I HAVE SAID ON OTHER OCCASIONS AND SO STATED IN
MY JUNE 16 MESSAGE TO PAUL (STATE 154316) THAT I THOUGHT WE
SHOULD IN NEW YORK ADDRESS OTHER KEY SEABEDS ISSUES THAN
THOSE DEALT WITH IN GENEVA, THAT IS, NOT AT THIS TIME RE-
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PLOW THE GROUND COVERED AT GENEVA.

5. THE FOREGOING UNDERSCORES THE IMPORTANCE OF PAUL READ-
ING CAREFULLY MY MESSAGE TO HIM. I GATHER THAT YOU HAVE
NOT YET HAD AN OPPORTUNITY TO RUN THROUGH IT WITH HIM.
I DO HOPE YOU WILL BE ABLE TO DO SO AS SOON AS CONVENIENT
FOR IT IS VERY IMPORTANT THAT PAUL APPROACH THE RESUMED
SESSION IN AS CONSTRUCTIVE A FRAME OF MIND AS POSSIBLE
AND THAT WE DO ALL WE CAN TO ENCOURAGE HIM NOT TO IMPEDE
AN ORDERLY AND BUSINESSLIKE APPROACH TO DISCUSSION OF
SEABEDS ISSUES.

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